

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Southern California Edison Company (U 338-E) for a Commission Finding that its Procurement-Related and Other Operations for the Record Period July 1 Through December 31, 2003 Complied with its Adopted Procurement Plan; for Verification of its Entries in the Energy Resource Recovery Account; for Recovery of a Nuclear Unit Incentive Reward of \$9.7 million; and for recovery of \$4.9 Million Recorded in the Electric Energy Transaction Administration Memorandum Account.

Application 04-04-005  
(Filed April 1, 2004)

**ASSIGNED COMMISSIONER'S SCOPING MEMO AND RULING**

**Summary**

This ruling sets forth the scope, service list, schedule, category, and assignment of the principal hearing officer for this proceeding following a June 4, 2004 prehearing conference (PHC), pursuant to Rule 6.3 of the Commission's Rules of Practice and Procedure (Rules).

**Scope of Proceeding**

The scope of this proceeding is to determine whether Southern California Edison Company's (SCE) power procurement activities for the recorded period July 1 through December 31, 2003 complied with its adopted procurement plan; whether its Energy Resource Recovery Account (ERRA) entries for that period are reasonable; and, whether a Nuclear Unit Incentive reward and Electric

Energy Transaction Administration memorandum balance for that same period are recoverable.

### **Service List**

With the taking of appearances at the PHC, a service list has been established for this proceeding. Parties shall serve filings on all appearances listed on the service list, including those identified as “State Service” and “Information Only.”

### **Schedule**

The schedule for this proceeding is as follows:

| <u><b>Date</b></u>    | <u><b>Activity</b></u>           |
|-----------------------|----------------------------------|
| August 23, 2004       | All Interested Parties Testimony |
| September 10, 2004    | Rebuttal Testimony               |
| September 16, 2004    | Coordinated Witness List         |
| September 21-23, 2004 | Evidentiary Hearings, as needed  |

The parties shall limit their testimony to matters involving the identified issues. A briefing schedule will be set at the conclusion of the evidentiary hearing, and the proceeding will be submitted upon receipt of briefs (Projected Submission Date). Any request for final oral argument before the Commission shall be made as part of briefs that may be filed in this proceeding.

My goal is to resolve this matter no later than December 16, 2004. However, in no event will resolution exceed 18 months from the date of this scoping memo, pursuant to Section 1701.5 of the Public Utilities Code.

### **Category of Proceeding**

This ruling confirms the Commission’s preliminary finding in Resolution ALJ 176-3132, dated April 22, 2004, that this proceeding is a

ratesetting proceeding, as described in Rule 5(c), and that hearings are required (Rule 6(a)(3)).

**Assignment of Presiding Officer**

Administrative Law Judge Galvin will act as principal hearing officer in this proceeding, pursuant to Rule 5(l).

**IT IS RULED** that:

1. The scope and schedule for this proceeding is set forth herein.
2. Southern California Edison Company shall coordinate the order that witnesses shall testify with all interested parties and shall provide a copy of an agreed upon witness order list by letter to all parties and to the assigned Administrative Law Judge (ALJ) by September 16, 2004.
3. Parties shall serve filings on all persons and entities listed on the service list as an appearance, state service, and information only.
4. Any request for final oral argument before the Commission shall be made as part of briefs that may be filed in this proceeding.
5. This ruling confirms that this application is a ratesetting proceeding for the purpose of Article 2.5.
6. Parties shall observe and comply with the *ex parte* communications rules set forth in Rules 7 and 7.1 of the Commission's Rules of Practice and Procedure.
7. The principal hearing officer in this proceeding is ALJ Galvin.

8. An evidentiary hearing in the proceeding shall be held beginning at 10:00 a.m., September 21, 2004 and continue, as needed, through and including September 23, 2004 in the Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California.

Dated June 10, 2004, at San Francisco, California.

/s/ MICHAEL R. PEEVEY  
Michael R. Peevey  
Assigned Commissioner

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner's Scoping Memo and Ruling on all parties of record in this proceeding or their attorneys of record.

Dated June 10, 2004, at San Francisco, California.

/s/ TERESITA C. GALLARDO

Teresita C. Gallardo

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.